

REMARKS

At the outset, the Examiner is thanked for considering the pending application. The Final Office Action dated December 11, 2009 has been received and its contents carefully reviewed.

Claims 1 and 14 are hereby amended. No new matter has been added. For the purposes of the Office Action mailed December 11, 2009, claims 8-13 have been withdrawn. Accordingly, Claims 1-16 are currently pending. Reconsideration of the pending claims is respectfully requested.

The Office Action rejects claims 1, 5-7, and 14 under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Publication No. JP 11-152253 to Ishikawa et al. ("Ishikawa"). Applicants respectfully traverse.

This rejection is based on a compound that includes aryl amino substituents at the respective locations. Claims 1 and 14 have been amended to exclude this species. Accordingly, Ishikawa cannot anticipate claims 1 and 14. For at least the same reasons, Ishikawa cannot anticipate any claim dependent of claim 1 or 14, namely claims 5-7. Applicants respectfully request withdrawal of this rejection.

The Office Action also rejects claims 1-7, 14, and 15 under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Publication No. JP 11-302639 to Sato et al. ("Sato"). Applicants respectfully traverse this rejection.

This rejection is also based on a compound that includes aryl amino substituents at the respective locations. As stated above, claims 1 and 14 have been amended to exclude this species. Accordingly, Sato cannot anticipate claims 1 and 14. For at least the same reasons, Sato cannot anticipate any claim dependent of claim 1 or 14, namely claims 2-7, and 15. Applicants respectfully request withdrawal of this rejection.

The Office Action also rejects claim 16 under 35 U.S.C. 103 as being unpatentable over Sato in view of Japanese Patent Publication No. JP 2002-324676 to Suzurisato et al. (“Suzurisato”). Applicants respectfully traverse this rejection.

Claim 16 depends on claim 14 and thus incorporates all the elements of claim 14. As discussed above, Sato fails to disclose all the elements of claim 14 and thus cannot anticipate claim 14. Because of these shortcomings, Sato also fails to render claim 14 obvious. Suzurisato fails to cure the deficiency in Sato because Suzurisato also fails to teach or suggest a compound of Formula I as recited in claim 14. Accordingly, the combined teachings of Sato and Suzurisato cannot render obvious claim 14, and consequently cannot render obvious claim 16. Applicants, therefore, respectfully request withdrawal of this rejection.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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